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File No. 390(9)

19 31.

Collection No.

(6)

Mysore Residency

Bangalore.

Pg 12

Pros. Serial Nos. 1-

Subject.

Proceedings of the Bangalore Rate Payers' Association regarding Municipal Elections.

Previous References.	Later References.
	F.No.1130 of 1934.

S. 97.—(Blue).

MFP—168S&P—(M-184)—11-8-34—60,000.

NOTES AND PRECIS.

FILE No. 390(9) 1931 .

Section. File No.

Heading. Serial No.

NOTES.

DEPT. BRANCH.

Pros. 19 . Nos.

Subject.

Proceedings of the Bangalore Rate Payers' Association regarding Municipal Elections.

Notes and Orders.

S. 1.

SGPI—FP—379DCFMis.—4-12-24—2,00,000.

P.M.C.

Letter dated the 28th June, 1933, from the President, The Bangalore Rate Payers' Association, Bangalore.

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(1) Submitted for information.

8.7.33

(2) Seen. Also to P.M.C. please. Comments.

(3) D.O. No. 5133 dated 13-7-33

Mr Abdul Latief put up a proposition before the Commission regarding the post poning of the forthcoming elections, due in November next year, on the ground of impending changes in the Constitution of the Government of India & the question of Retrocession of the C & M. Station.

(4) Nobody (not even our R.) could see any logical grounds for the proposal which was turned down by a large majority. The meeting of the R.P.A. took place before the meeting of the Commission.

(5) I think the papers may be "lodged"

14.7.33

Seen 14.7.33

OFFICE OF THE RESIDENT IN MYSORE, BANGALORE.
17 JULY 1933
Regd. No. 6135
File No.

1577

80/33 DP 14/7/33

(6) Please see from paragraph 1 ante.

May be lodged?

K Mayan
19.7.33

2
19.7.33

Secy (7) the the remarks at A correct?

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(8) It is submitted that the statement that the Hon'ble the Resident has no power to extend the term of the Commission beyond three years is incorrect. It is true that under section 175 of the Bangalore Municipal Law the Hon'ble the Resident cannot alter the election rules in a manner inconsistent with that Law; but the President of the Bangalore Rate Payers' Association has apparently overlooked the proviso to section 9(2) of the Law, which gives power to the Resident to extend, for special reasons to be recorded in writing, the term of office of the Commissioners to such term, not exceeding four years in the aggregate, as he may think fit. The Resident can therefore, by notification, extend the life of the present Commission to a period not exceeding one year, without any reference to the Governor General in Council.

The proviso to section 9(2) referred to above was inserted in 1924 to enable the Resident to extend the term of the then Commission for some months (which was done) and to meet future contingencies of the kind.

For orders whether the above provision of law should be pointed out to the President of the Bangalore Rate Payers' Association.

K Mayan
27-7-33

30.7.33

(From para-1)

Secy.

(M)

(L)

(L)

* Paper put up in municipal Commissioner.

(5)

S. de Gl. Chmb. Cor. Cred
Corresp. Ch. Pal. Payens,
Custable : Roy de Gaza.

Qu 44
8

Renfort
(L 6 = 15/8/32 · 1)

CORRESPONDENCE.

The Bangalore Rate Payers' Association

(REGISTERED UNDER ACT VII OF 1913)

A 1892

39, Old Madras Road, Ulsoor,

Bangalore, 28th. June 1933.

From

THE PRESIDENT,

The Bangalore Rate Payers' Association,

To

The Secretary to

The Hon'ble the Resident in Mysore,

Bangalore.

Sir,

Subject:- Municipal General Election.

I have the honour to forward herewith a copy of the proceedings of an emergent meeting of this Association held on the 26th. June 1933, for the information of the Hon'ble the Resident in Mysore.

I have the honour to be,

Sir,

Your most obedient servant,

Ernamsathmi

President.

OFFICE OF THE RESIDENT IN MYSORE.
BANGALORE.
29 JUNE 1933
Regn. No. 5633
File No.

The Bangalore Rate Payers' Association.

An emergent meeting of the Bangalore Rate Payers' Association was held at St. Mark's Girls' School in the compound of St. Francis Xaviers Church, St. John's Hill, Bangalore, at 5-30 P.M. on Monday the 26th June 1933.

Present:- Mr. C. Ramaswami Mudaliar, President. Mr. R.T.Lazar, Vice President; Messrs. Abdul Latheef Sahib, Abdul Hameed Osmin Sait, A. Thalesinga Mudaliar, S. Mariyappa and Reverend D. Jacob, Members of the Committee; Mr. C. Balasundara Mudaliar, Honorary Secretary and Treasurer; also Messrs. R. Lorsham, F.L.DeSantos, C.H. Dover, W.F. Edwards, W.D. Green, S.W.Smith, A.J.Zind, A.W. Ware, and S.L.Waterlow, ordinary members.

Visitors:- Mr. G.S. Rego, Honorary Secretary of the Southern Division Rate Payers' Association, and Mr. A. Pike.

The President extended a hearty welcome to Mr. Rego.

2. Read Notice convening the Meeting.

Municipal General Election.

3. The President read Mr. Lazar's letter dated 23rd June 1933, first and then his note thereon.

The Presidents Note.

"I have agreed to convene this emergent Meeting in order to avoid any possible misunderstanding. Mr. Abdul Latheef's proposition is to request the Hon'ble the President to postpone the General Election of the Municipal Commissioners for a year. It is clearly laid down in Section 9 (2) of the Bangalore Municipal Law that the term of office of the Commissioners shall not exceed 3 years, and rule 2 of the Election Rules stipulates that a general election of commissioners shall take place every third year in the month of November - The Bangalore Municipal Law cannot be set aside, except with the sanction of the Governor General in Council, and then the Hon'ble the President cannot agree to alter the Election Rules in a manner inconsistent with this Law (Sect. 173 B.M.L.). Therefore, even if Mr. Abdul Latheef's

proposition

proposition is carried, it cannot be given effect to until objections or suggestions thereon from the public have been invited and considered (Sect.180 B.M.L.), and the confirmation of the Governor General in Council to the change is obtained. And, as far as I can trace, there is also no authority that empowers the Hon'ble the Resident to extend the life of the commission beyond 5 years.

Without going into the merits of Mr. Abdul Latheef's proposition, it seems to me that the only purpose that any resolution that we may pass at this Meeting will serve is to let the other Municipal Commissioners and the Authorities know what the opinion of this Association is on that proposition."

Discussion then followed - Mr. Abdul Latheef explained that his object in moving the proposition was to know and first get settled as to how and where we stood under the coming Reforms and with regard to the Retrocession question, and to let the present Commission (the only legislative body in the Station) to continue, as he did not see why, when the life of the legislative bodies elsewhere had been extended pending the Coming Reforms, the same principle should not be adopted here also. He assured the meeting that he had no other motive and dispelled the apprehension which some people seemed to entertain that he was afraid of facing a new election and which he characterised as totally unfounded, seeing that he had successfully faced so many elections in the past.

Then, almost every member present took part in the debate and several interesting issues were raised, such as -

(a) "I have not seen the present Commissioner of my Division anywhere in the Division for the last 2 years or more, why should this Commissioner be given the chance of sitting for another year."

(b) "How and in what manner the interests of the people would be adversely affected if the General Election took place in November next".

(c) "the powers of the Commission being the same, what difference would it make if, instead of those now sitting on the Commission others got in",

(d) "Why should suitable and willing candidates who had been looking forward to the General Election be kept off for another 2 year",

(e) "Why should the General Election be put off because of the Retrocession of question or the Zoning Reforms which might not be settled for another 2 years or more",

(f) "What would be the material gain to the people if the general election was postponed for another year" and ~~xxxxxxxxx~~ so forth -

After the matter was thoroughly discussed and the sense of the meeting known, the President said that a definite resolution might now be moved and voted upon, and that he would forward a copy of the proceedings of this meeting to the Press, the President, Municipal Commission, and the Hon'ble the Resident.

Mr. Lazar then proposed that the general Election should take place in November 1935 on the ground that there were no valid reasons for its postponement. This was duly seconded and carried, those against it being Messrs. Abdul Latheef Sahib, Abdul Hameed Qassim Sait and A. Tholasinga Mudaliar only.

The meeting then terminated with the usual vote of thanks to the chair.

Honorary Secretary & Treasurer.

Bangalore,
26th June 1935.

To

The Secretary to the Hon'ble the Resident in Mysore, Bangalore, for the information of the Hon'ble the Resident.